

Patrick A. Shea
Utah State Bar No. 2929
PATRICK A. SHEA, P.C.
215 South State Street, Suite 200
Salt Lake City, Utah 84111
Telephone: (801) 671-9902 / 305-4184
Facsimile: (801) 305-4181
Attorneys for Living Rivers

Jacque M. Ramos
Utah State Bar No. 10720
J. Ramos Law Firm P.L.L.C.
2709 South Chadwick Street
Salt Lake, City, Utah 84106
Telephone: 801-521-2442
Facsimile: (801)-582-0834
Email: jramos@jramoslawfirm.com

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SECRETARY, BOARD OF
OIL, GAS & MINING

**BEFORE THE DIVISION OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH**

**IN THE MATTER OF THE
APPLICATION OF WESTWATER
FARMS, LLC FOR ADMINISTRATIVE
APPROVAL OF THE HARLEY DOME
1 SWD WELL LOCATED IN SECTION
10, TOWNSHIP 19 SOUTH, RANGE 25
EAST, S.L.M., GRAND COUNTY,
UTAH, AS A CLASS II INJECTION
WELL**

**MOTION TO CONTINUE HEARING
ON NOTICE OF AGENCY'S
ACTION**

Docket No. 2010- 029

Cause No. UIC-358.1

Living Rivers ("LR") moves the Board of Oil, Gas, and Mining ("Board") to continue the hearing in the above entitled matter until the next regularly scheduled Board hearing on January 26, 2011.

John Weisheit is the Conservation Director of Living Rivers, a 501 (c) 3, Utah not for-profit corporation dedicated to protecting rivers in general, but the Colorado River in particular. Mr. Weisheit contacted Mr. Shea on Monday, November 22, 2010 about the possibility of Mr. Shea representing LR in the Formal Adjudication proceedings pending before the Board of Oil, Gas and Mining, scheduled for December 8, 2010. Mr. Shea checked his client files to determine if such representation would create a conflict with clients he was already representing. After discussion with his client and Mr. Weisheit on Tuesday, November 23, 2010 it was determined Mr. Shea could represent LR in the Adjudicative Proceedings (Docket No. 2010-___, Cause No. UIC-358.1.

On Wednesday, November 24, 2010 Mr. Shea contacted the staff (Ms. Julie Ann Carter) to file a notice of appearance and a motion to continue hearing on Notice of Agency Action.

Mr. Shea filed the notice and motion on the afternoon of November 24, 2010 electronically after being assured by Ms. Carter such means of filing was acceptable. The reason for the motion to continue the hearing is to simply allow Counsel, Mr. Shea

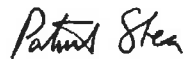
and Ms. Ramos sufficient time to familiarize themselves with the proceedings to date, to research the appropriate statutes and regulations to properly represent LR in the Adjudicative Proceeding.

Mr. Shea and Ms. Ramos believe if the scheduled December 8, 2010 Adjudicative Proceeding were continued to January 26, 2011, the next scheduled meeting of the Board of Oil, Gas and Mining, there would be sufficient time to adequately prepare to represent LR.

Accordingly, Mr. Weisheit through his Counsel, Patrick Shea, moves the Board to continue the hearing of this matter until the Board's hearing scheduled for January 26, 2011 to permit the Mr. Weisheit and his counsel appropriate time to prepare his materials and make arrangements to attend the hearing.

Respectfully submitted this 24th day of November, 2010.

Patrick A. Shea
Attorney for Living Rivers



MAILING CERTIFICATE

I hereby certify that I mailed a true and correct copy of the foregoing NOTICE OF APPEARANCE OF COUNSEL, postage prepaid, this ____ day of November, 2010, to the following:

Steven F. Alder
Assistant Attorney General
Board of Oil, Gas and Mining
1594 West North Temple, Suite 300
Salt Lake City, UT 84116

Grand County
Road Department
125 East Center
Moab, UT 84532

Federal Highway Administration
2520 West 4700 South, Suite 9-A
Salt Lake City, UT 84118-1847

Utah School and Institutional Trust Lands
Administration
675 East 500 South, Suite 500
Salt Lake City, UT 84102-2818

RMOC Holdings, LLC
921 East Belleview Avenue
Littleton, CO 80121

Retamco Operating, Inc.
Attn: Joe Glennon
P.O. Box 790
Red Lodge, MT 59068-0790

Michael S. Johnson
Assistant Attorney General
Board of Oil, Gas and Mining
1594 West North Temple, Suite 300
Salt Lake City, UT 84116

United States Bureau of Land Management
Moab Field Office
82 East Dogwood
Moab, UT 84532

Mid-America Pipeline Company
171 7 South Boulder Avenue
Tulsa, OK 74121-1628

Petro Resrc Corp.
777 Post Oak Blvd, Suite 910
Houston, TX 77056

Shiprock Helium, LLC
P.O. Box 51166
Amarillo, TX 79159

Bill Love
2871 East Bench Road
Moab, UT 84532

United States Fish and Wildlife Service
Attn: Larry Crist
Utah Field Office
2369 West Orton Circle, Suite 50
West Valley City, UT 84119

Patricia Stea
